

Sexual Service Providers Advocacy Network (SSPAN)



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SUBMISSION TO THE LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE FEBRUARY 2005

WHO WE ARE

- SSPAN is a recently formed group of legal sex workers in Queensland.
- We are a voluntary organisation.
- We operate using best practice and encourage best practice principles whilst lobbying for legislative reform to support these practices.

THE SEX INDUSTRY IN AUSTRALIA

- Sexual service providers are able to operate within the law in Queensland, Victoria, New South Wales, Australia's Capital Territory and the Northern Territory.
- SSPAN supports the ability of sexual service providers to operate without criminal penalties.
- We are deeply concerned that the Criminal Code Amendment (Trafficking in Persons Offences) Bill 2004 will lead to increased prosecutions against sexual service providers and those associated with the industry in Australia.
- SSPAN opposes proposed criminal penalties against persons associated with sex industry businesses in Australia. We believe the penalties are discriminatory and able to be applied too loosely to justify their introduction (see below – Defining 'deception').

MIGRANT WORKERS IN AUSTRALIA

- Migrant workers are able to apply for visa's to work in Australia in a range of industries.
- SSPAN supports the ability of service providers from other countries to apply for visa's and work within the law in the sex industry in Australia.
- We are deeply concerned that the Criminal Code Amendment (Trafficking in Persons Offences) Bill 2004 will make it more illegal and therefore more dangerous for sexual service providers from other countries to work in Australia.

MOVEMENT OF SERVICE SERVICE PROVIDERS WITHIN AUSTRALIA

- SSPAN supports the ability of sexual service providers to arrange work through fairly negotiated contracts with sex industry businesses.
- We are deeply concerned that the proposed laws against "Domestic Trafficking" will criminalise the interstate movement of sexual service providers and lead to unfair targeting of legal sex industry business around Australia.

DEFINING 'DECEPTION'

- SSPAN supports all persons ability to work legally within the sex industry, regardless of their English speaking capacity, or financial status, and we endorse visa's for this purpose.
- The use of a persons' English speaking capacity, financial relationship to others within the sex industry and migration status as evidence when determining "consent" is highly discriminatory, and has potentially racist consequences when applied in the law. (S7 of the proposed Bill) eg. The targeting of non English speaking workers
- We are deeply concerned that persons who are deceived or exploited within the sex industry are not assisted by these proposed laws. Eg penalties increased but protections are not.
- SSPAN believes that increased criminal penalty within the sex industry will make conditions worse for all sexual service providers, and only serve to marginalise people whom the laws intend to help.